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WESTERN DISTRICT OF WASHINGTON  
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07-CV-00679-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BARON N. HAGHIGHI,

Plaintiff,

v.

LOUIS FRANTZ, et al.,

Defendants.

CASE NO. C07-0679-MJP

ORDER DISMISSING § 1983 ACTION

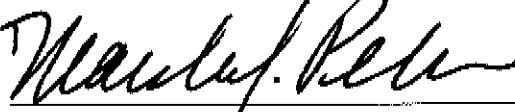
The Court, having reviewed the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, the objections thereto, and the balance of the record, does hereby ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Mr. Haghighi does not challenge Magistrate Judge Theiler's substantive findings in her Report and Recommendation. Instead, Mr. Haghighi states that he is in the process of retaining counsel and that the Court should withhold any ruling on his complaint for forty-five days until his attorney can "review [the] files and rectify this matter." But no attorney has filed a notice of appearance in this case. The Court will therefore not delay ruling on the pending matter.
- (2) The complaint and this § 1983 action are DISMISSED for failure to state a claim upon which relief may be granted. *See* 28 U.S.C. § 1915(e)(2)(B)(ii);

01 (3) This dismissal shall count as a dismissal under 28 U.S.C. § 1915(g); and

02 (4) The Clerk is directed to send copies of this Order to plaintiff and to Judge Theiler.

03 DATED this 7 day of August, 2007.

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05 MARSHA J. PECHMAN  
06 United States District Judge  
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